
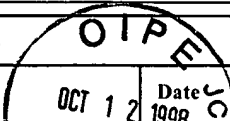
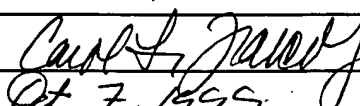


SECRET


| CERTIFICATE OF MAILING | | |
|---|--|-----------------------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <u>October 7, 1999</u> | | |
| Typed or Printed Name | Mathew Otts | |
| Signature |  | |
| |  | Date <u>October 7, 1999</u> |

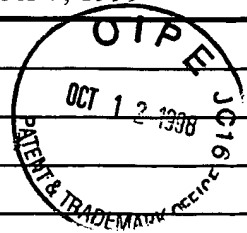
| | | |
|--|----------------------|--------------------------------------|
| TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i> | Attorney Dock # | AERX-012 |
| | First Named Inventor | Gonda, et al. |
| | Application Number | 09/330,903 |
| | Filing Date | June 11, 1999 |
| | Title | Methods of Delivering Aerosolized... |
| | Group Art Unit | 1635 |
| | Examiner Name | N/A |

| ENCLOSURES (check all that apply) | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers <i>(for an application)</i> | <input type="checkbox"/> Request for Refund |
| <input checked="" type="checkbox"/> Fee Attached | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to Group |
| <input type="checkbox"/> Amendment/Response | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition Routing Slip and Accompanying Petition | <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> To Convert a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input checked="" type="checkbox"/> Extension of Time Request | <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | <input checked="" type="checkbox"/> Additional Enclosure(s) <i>(please identify below):</i> |
| <input type="checkbox"/> Information Disclosure Statement | <input checked="" type="checkbox"/> Small Entity Statement | <u>1) Form PTO-1533</u> |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | | <u>2) Declaration signed by invenotrs (in counterparts)</u> |
| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | | |
| <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|------------------|--------|
| Individual Name | Carol L. Francis | Registration No. | 36,513 |
| Firm Name | BOZICEVIC, FIELD & FRANCIS LLP | | |
| Signature |  | | |
| Date | <u>Oct 7, 1999</u> | | |

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| CERTIFICATE OF MAILING | | | |
|---|---|--|-----------------|
| I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: <u>October 7, 1999</u> | | | |
| Typed or Printed Name | Mathew Otts | | |
| Signature |  | Date | October 7, 1999 |
| RESPONSE TO MISSING PARTS Address to: Box Missing Parts Assistant Commissioner for Patents Washington, D.C. 20231 | Attorney Docket | AERX-021 | |
| | First Named Inventor | Gonda, et al. | |
| | Application Number | 09/330,903 | |
| | Filing Date | June 11, 1999 | |
| | Group Art Unit | 1635 | |
| | Examiner Name | N/A | |
| | Title | Methods of Delivering Aerosolized Polynucleotides to the Respiratory Tract | |



Sir:

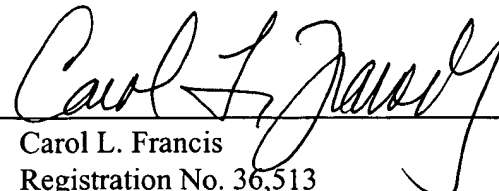
In response to the Notice to File Missing Parts dated July 7, 1999, transmitted herewith for filing are the following documents:

1. a copy of the Notice to File Missing Parts;
2. a Declaration signed by the inventors (in counterparts);
3. a Verified Statement Claiming Small Entity Status;
4. a check in the amount of \$500.00 (surcharge, \$65.00; statutory basic filing fee, \$380.00; extension of time fee, \$55.00) to cover the fees required.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number AERX-021.

Respectfully submitted,
 BOZICEVIC, FIELD & FRANCIS LLP

Date: Oct 7, 1999

By: 
 Carol L. Francis
 Registration No. 36,513

BOZICEVIC, FIELD & FRANCIS LLP
 285 Hamilton Avenue, Suite 200
 Palo Alto, California 94301
 Telephone: (650) 327-3400
 Facsimile: (650) 327-3231



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

3

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NO./TITLE |
|--------------------|---------------------|-----------------------|---------------------------|
|--------------------|---------------------|-----------------------|---------------------------|

09/330,903 06/11/99 GONDA

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AERY 001

0242/0707

KARL BOZICEVIC
BOZICEVIC FIELD & FRANCIS LLP
285 HAMILTON AVENUE
SUITE 200
PALO ALTO CA 94301



NOT ASSIGNED

1635

DATE MAILED:

07/07/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of \$65.00 for a small entity in compliance with 37 CFR 1.27, or \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☐ non-small entity is \$ 870 ✓ \$445-

- ☒ 1. The statutory basic filing fee is:
☐ missing.
☒ insufficient.

Applicant must submit \$ 760 \$380- to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:

\$ _____ for _____ total claims over 20.

\$ _____ for _____ independent claims over 3.

\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:

☒ is missing or unsigned.

☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

Roxanne Rawls
Customer Service Center
Initial Patent Examination Division (703) 308-1202

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000000049 09330903
380.00 OP
65.00 OP
12/7/99
01 DEC 201
02 FC 205